

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	CASE NO. 3:15-CR-00166-001
	:	
vs.	:	JUDGE CARR
	:	
PABLO DURAN RAMIREZ,	:	
	:	
Defendant.	:	

DEFENDANT'S MOTION TO CONTINUE SENTENCING HEARING

Defendant Pablo Duran Ramirez, through undersigned counsel, respectfully requests this Court continue the sentencing hearing currently scheduled for January 7, 2019 at 2:30 p.m. Counsel for the United States of America is opposed to this request. The reasons in support of this Motion are set forth in the following Memorandum.

Respectfully submitted,
Taft Stettinius & Hollister LLP

/s/David H. Thomas
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/s/ Kathryn S. Wallrabenstein
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Counsel for Defendant

MEMORANDUM

Defendant Pablo Duran Ramirez entered a guilty plea before this Court on September 17, 2018 pursuant to a plea agreement. Thereafter, this Court issued an Order setting a deadline to submit sentencing memorandums no later than ten days prior to the sentencing hearing. This matter is currently scheduled for a sentencing hearing on January 7, 2019 at 2:30 p.m. Defendant, through undersigned counsel, filed a sentencing memorandum on December 28, 2018, as did the Government. (Docs. 26, 27).

On January 2, 2019, the Government provided undersigned counsel with a seventy-two page document summarizing Spanish to English translations of jail telephone calls pertaining to properties allegedly owned by Defendant. These calls form the basis of the Government's assertion that Defendant misrepresented his net worth. On January 4, 2019, the Government provided undersigned counsel with four documents the Government intends to use as exhibits at the upcoming sentencing hearing. Undersigned counsel do not yet have the actual recorded jail telephone calls. These telephone calls, and correct translations of the calls, along with proper context for the purported statements made therein are critical to the understanding of the issue. Undersigned counsel is therefore requesting a continuance of the sentencing hearing scheduled for January 7, 2019 at 2:30 p.m. to ensure a full and complete review may be conducted by the defense prior to the hearing. The Government is opposed to this request.

A continuance of the sentencing hearing is necessary to ensure Defendant Pablo Duran Ramirez's constitutional rights are protected and that undersigned counsel can be effective in their representation of him. It is therefore respectfully requested this Court continue the sentencing hearing.

Respectfully submitted,
Taft Stettinius & Hollister LLP

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Counsel for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was sent to Assistant U.S. Attorneys Chelsea Rice, Bridget Brennan, and Dana Mulhauser, on January 4, 2019, via the Court's electronic filing system.

/s/David H. Thomas
DAVID H. THOMAS

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